

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

SIMPLY STOR-IT, LLC,  
*Plaintiff,*

v.

DEPOSITORS INSURANCE COMPANY,  
*Defendant.*

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CIVIL ACTION NO. 6:23-cv-00274-JCB

**JOINT DESIGNATION OF MEDIATOR**

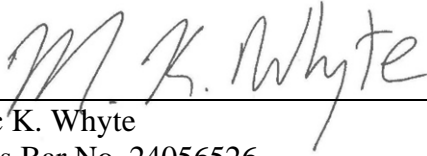
Pursuant to the Court's Scheduling Order entered on August 7, 2023 (Dkt. No. 8), Plaintiff Simply Stor-It, LLC and Defendant Depositors Insurance Company hereby notify the Court that the Parties have agreed to the following mediator in this matter:

Don Philbin  
Donald R. Philbin, Jr., P.C.  
P.O. Box 12367  
San Antonio, TX 78212  
(210) 212-7100  
(210) 212-7118 – Facsimile

The Parties will work together to schedule the mediation at a mutually agreeable time and pursuant to the instructions provided in the Court's Scheduling Order.

*(Signatures on the following page)*

Respectfully submitted,



Marc K. Whyte  
Texas Bar No. 24056526  
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Whyte PLLC  
2101 NW Military Hwy  
San Antonio, Texas 78213  
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**ATTORNEY FOR PLAINTIFF**

/s/ Patrick M. Kemp

Patrick M. Kemp  
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(512) 476-7832 – Facsimile

**ATTORNEYS FOR DEFENDANT  
DEPOSITORS INSURANCE COMPANY**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing instrument has been served electronically via CM/ECF this the 25<sup>th</sup> day of August, 2023 to:

Marc K. Whyte  
Whyte PLLC  
2101 NW Military Hwy  
San Antonio, Texas 78213  
mwhyte@whytepllc.com

/s/ Patrick M. Kemp

Patrick M. Kemp